

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**ROGERIC HANKINS,**

**Defendant.**

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**Case No. 22-03125-01-CR-S-MDH**

**ORDER**

Before the Court is Defendant's *Pro Se* Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582(c)(2). Defendant was sentenced to 108 months imprisonment following a guilty plea for a felony violation of 18 U.S.C. § 242, Deprivation of Rights Under Color of Law. Under 18 U.S.C. § 3582(c)(2), a court may reduce a previously-imposed sentence for a "defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission." 18 U.S.C.A. § 3582. In 2023, the Sentencing Commission promulgated Amendment 821, which, in relevant part, allows for a reduction in offense level for certain offenders who lack criminal history points at the time of sentencing. USSG § 4C1.1. As the Government points out, however, Defendant is ineligible for modification under Amendment 821 because his conviction falls under § 2H1.1, offenses involving individual rights, which are specifically excluded from eligibility under § 4C1.1. Further, even if Defendant were eligible for reduction, application of § 4C1.1 does not impact Defendant's guidelines range. For these reasons, Defendant's Motion is **DENIED**.

**IT IS SO ORDERED.**

DATED: July 23, 2024

*/s/ Douglas Harpool*  
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**DOUGLAS HARPOOL**  
**UNITED STATES DISTRICT JUDGE**